



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

BJG
Docket No: 5147-01
31 January 2002

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: CAP [REDACTED], USMCR [REDACTED]
REVIEW OF NAVAL RECORD

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 dtd 15 Jun 01 w/attachments
(2) HQMC MMSR-6 memo dtd 10 Jan 02 w/encl
(3) HQMC CMT memo dtd 7 Aug 01 w/encls
(4) HQMC MMPR memo dtd 21 Aug 01
(5) HQMC MMSR-6 memo dtd 29 Aug 01
(6) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to adjust his Career Retirement Credit Report (CRCR), Pay Entry Base Date (PEBD), date of rank as a captain, and Reserve retirement anniversary date to reflect service in the Air Force Reserve from 11 March 1999 to 25 October 2000. His CRCR has been adjusted (enclosure (2)), his original PEBD of 31 May 1989 will be restored (enclosure (3)), and his original anniversary date of 31 May has been restored (enclosure (2)).

2. The Board, consisting of Messrs. Caron, Cooper, and Geisler, reviewed Petitioner's allegations of error and injustice on 25 January 2002, and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. In correspondence attached as enclosure (4), the Headquarters Marine Corps (HQMC) Promotion Branch (MMPR), the office with cognizance over the subject matter of Petitioner's request to change his date of rank, has commented to the effect that this request has merit and warrants favorable action. They recommended that his date of rank be

changed from 23 January 1996 to 1 July 1994, the date of rank he held on the date of his discharge from the Air Force Reserve.

c. In correspondence attached as enclosure (5), the HQMC Separation and Retirement Branch (MMSR-6) has commented to the effect that they concurred with the opinion at enclosure (4).

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosures (4) and (5), the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

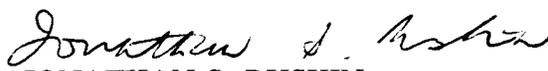
a. That Petitioner's naval record be corrected, where appropriate, to show that when he was originally appointed on 26 October 2000 as a captain in the Marine Corps Reserve, he was assigned a date of rank of 1 July 1994, vice 23 January 1996; and that his lineal precedence be adjusted accordingly.

b. That any material or entries inconsistent with the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

c. That a copy of this Report of Proceedings be filed at an appropriate location in Petitioner's naval record, and that another copy of this report be returned to this Board, together with any material directed to be removed from Petitioner's record, for retention in a confidential file maintained for such purpose.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder


JONATHAN S. RUSKIN
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.



W. DEAN PFEIFFER
Executive Director



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3280 RUSSELL ROAD
QUANTICO, VIRGINIA 22134-5103

IN REPLY REFER TO:
1741
MMSR-6
10 Jan 02

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: BCNR APPLICATION IN THE CASE OF CAPTAIN [REDACTED]
[REDACTED] USMCR

Ref: (a) MMER Route Sheet of 18Oct01, Docket [REDACTED]

Encl: (1) Corrected Career Retirement Credit Record

1. The reference requests an advisory opinion on Captain [REDACTED] petition to correct his record to include service from March 1999 through October 2000.

2. The enclosure is forwarded herewith showing Captain [REDACTED] correct creditable service. Point of contact [REDACTED] MMSR [REDACTED]

[REDACTED]

Head, Separation and Retirement Branch
By direction of the Commandant of the Marine Corps

CAREER RETIREMENT CREDIT RECORD

01/10/2002

06:59:17

SSN: [REDACTED] NAME: [REDACTED]
RUC: 88843 COMPANY CODE: 0 PRES-GRADE: O3 RECSTAT: E COMP CODE:
PLT CODE: AVIA TRNGRP: B R-RECSTAT: 0 RCOMP CODE: KF

ANNV: 20020531 PEBD: 19910302 DOB: [REDACTED] MAND: 00000000 CERTDATE: 000000

Table with columns: ANNIVERSARY YEAR, INCLUSIVE DATES, PD, NP, COR, FHD, MBR-SHIP, PNTS, TOTAL INACDU, PNTS, INACDU, ACDU, PNTS, POINTS, CRED, NP, PD, TOTAL, PNTS, SAT, CRED, YEAR

-----COMPLETED-----

CAREER TOTALS

INACTIVE DUTY POINTS CORRES..... 0000 ACTIVE DUTY POINTS PAID..... 03438
INACTIVE DUTY POINTS PAID..... 0146 ACTIVE DUTY POINTS NON-PAID..... 00000
INACTIVE DUTY POINTS NON-PAID.... 0000 TOTAL ACTIVE DUTY POINTS..... 03438
FUNERAL HONORS DUTY POINTS..... 0000 TOTAL POINTS CREDIT..... 03621
MEMBERSHIP POINTS..... 049 TOTAL SATISFACTORY YEARS..... 11
TOTAL INACTIVE DUTY POINTS..... 0195 TOTAL QUALIFYING SERVICE.....11-00000
INACTIVE DUTY POINTS CREDIT..... 0183

"CERTIFIED AS TRUE AND CORRECT"

[REDACTED SIGNATURE]
MCR

5147-01



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3280 RUSSELL ROAD
QUANTICO, VIRGINIA 22134-5103

IN REPLY REFER TO:

1070
CMT
7 Aug 01

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: RESERVE AFFAIRS ADVISORY OPINION ON BCNR APPLICATION;
CASE OF CAPTAIN [REDACTED] USMCR

Ref: (a) MMER Memo for Marine Corps dtd 11 Jul 01
(b) Capt [REDACTED] DD Form 149 dtd 15 Jun 01 with
Supporting Documentation

Encl: (1) Copy of Head, Officer Promotion Section MEMORANDUM,
REQUEST FOR REAPPOINTMENT TO THE U.S. MARINE CORPS
RESERVE FOR CAPTAIN [REDACTED]
dtd 18 Sep 00
(2) Copy of Capt [REDACTED] NAVMC 763 dtd 24 Oct 00

1. We have reviewed references (a) and (b) provide the following comment Captain [REDACTED]'s request for adjustment of Date of Rank (DOR) and Pay Entry Base Date (PEBD).

2. Captain [REDACTED] current DOR of 960123 was assigned by MMPR at the time of his reappointment (enclosure (1)). and was intended, as a matter of policy, to ensure appropriate seniority and competitiveness for selection amongst his peers. It is our opinion that the adjustment of Captain [REDACTED]'s DOR should be referred to MMPR for decision.

3. Captain [REDACTED] current PEBD of 910302 was assigned by this office (CMT) at the time of his reappointment (enclosure (2)). At that time, we did not have the benefit of the supporting documentation contained in reference (b) which shows Captain [REDACTED] uninterrupted service in the Armed Forces Reserve. Based on that documentation, we conclude that his PEBD was incorrectly assigned. Captain [REDACTED] PEBD will be administratively reassigned to his original date of 890531.

4. Point of contact is [REDACTED] 0516

[REDACTED]

By direction



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
MANPOWER AND RESERVE AFFAIRS DEPARTMENT
HARRY LEE HALL, 17 LEJEUNE ROAD
QUANTICO, VIRGINIA 22134-5104

5147-01
IN REPLY REFER TO:
140074
MMPR
18 Sep 00

MEMORANDUM

From: Head, Officer Promotion Section
To: Head, Officer Appointment Section, Officer Programs,
Marine Corps Recruiting Command

Subj: REQUEST FOR REAPPOINTMENT TO THE U. S. MARINE CORPS
RESERVE FOR CAPTAIN [REDACTED]

Ref: (a) HQMC (RAM-6) route sheet of 7Sep00
(b) DOD Dir 1312.3
(c) MCO P1100.73, Vol 3

1. Reference (a) requested a rank, date of rank, lineal precedence number, and lineal control number determination for Captain [REDACTED]

2. Provided Captain [REDACTED] meets the requirements of references (b) and (c), he will be assigned the following rank, date of rank, and lineal control number:

Captain (Permanent)

Date [REDACTED]

Lineal [REDACTED] 500

ENCLOSURE (1)



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
MANPOWER AND RESERVE AFFAIRS DEPARTMENT
HARRY LEE HALL, 17 LEJEUNE ROAD
QUANTICO, VIRGINIA 22134-5104

IN REPLY REFER TO:
1412/2
MMPR
AUG 21 2001

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: BCNR APPLICATION IN THE CASE OF CAPTAIN [REDACTED]
[REDACTED] USMCR

Ref: (a) MMR Route Sheet of 13 Jul 01

1. Reference (a) requested an advisory opinion in the case of
Captain [REDACTED] Captain [REDACTED] requesting an adjustment to
his date of rank.

2. The germane facts:

a. Captain [REDACTED] was given an adjusted date of rank to
captain of 960123 after his reappointment in U.S. Marine Corps
Reserves.

b. Captain [REDACTED] was not been eligible for a board since
his reappointment to captain on 960123.

c. After reviewing documentation provided by Captain
[REDACTED] it is determined that there was no break in service.
Therefore, his date of rank should reflect 940701, the date of
discharge from the Air Force Reserves.

*on the date of rank
he held on*

3. Promotion Branch recommends granting Captain [REDACTED]
request for an adjustment to his date of rank to reflect 940701.

4. The point of contact in this matter is Chief Warrant Officer
[REDACTED]

[REDACTED]

Colonel, U. S. Marine Corps
Head, Promotion Branch



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3280 RUSSELL ROAD
QUANTICO, VIRGINIA 22134-5103

IN REPLY REFER TO:
1741
MMSR-6
29 Aug 01

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: BCNR APPLICATION IN THE CASE OF CAPTAIN [REDACTED]
[REDACTED] USMCR

Ref: (a) MMR Route Sheet of 13Jul01, Docket No [REDACTED]

Encl: (1) MMR Comment 1412/2 of 21Aug01

1. The reference requests an advisory opinion on Captain [REDACTED] petition to correct his record to show an adjustment in his date of rank.
2. We concur with the conclusion and recommendation stated in the enclosure.
3. We recommend that Captain [REDACTED] petition be granted favorable consideration and that his date of rank be corrected to read 1 July 1994.

[REDACTED]

[REDACTED] R.
 [REDACTED] and
 Retirement Branch
 By direction of the Commandant
 of the Marine Corps